

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>CALVIN ALPHONSE LEE,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 04-0823-WS-C</b>
<b>JACK S. TILLMAN, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED without prejudice**.

**DONE and ORDERED** this 21<sup>st</sup> day of September, 2006.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE